

Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 409, 72 Stat. 1785; 21 U.S.C. 348) and delegated by him to the Commissioner of Food and Drugs (21 CFR 2.90; 29 F.R. 471), the food additive regulations are amended by adding thereto a new section prescribing general provisions applicable to subpart F. This regulation is responsive, in part, to a petition submitted by the Society of the Plastics Industry, Inc., 250 Park Avenue, New York 17, New York, which requested that Subpart F be amended to clarify the term "good manufacturing practice" as it is generally used in connection with food additives resulting from contact with containers or equipment. The new section added to Subpart F reads as follows:

§ 121.2500 General provisions applicable to Subpart F.

(a) Regulations prescribing conditions under which food additive substances may be safely used predicate usage under conditions of good manufacturing practice. For the purpose of this Subpart F, good manufacturing practice shall be defined to include the following restrictions:

(1) The quantity of any food additive substance that may be added to food as a result of use in articles that contact food shall not exceed, where no limits are specified, that which results from use of the substance in an amount not more than reasonably required to accomplish the intended physical or technical effect in the food-contact article; shall not exceed any prescribed limitations; and shall not be intended to accomplish any physical or technical effect in the food itself, except as such may be permitted by regulations in this Part 121.

(2) Any substance used as a component of articles that contact food shall be of a purity suitable for its intended use.

(b) The existence in this Subpart F of a regulation prescribing safe conditions for the use of a substance as an article or component of articles that contact food shall not be construed to relieve such use of the substance or article from compliance with any other provision of the Federal Food, Drug, and Cosmetic Act. For example, if a regulated food-packaging material were found on appropriate test to impart odor or taste to a specific food product such as to render it unfit within the meaning of section 402(a)(3) of the act, the regulation would not be construed to relieve such use from compliance with section 402(a)(3).

(c) The existence in this Subpart F of a regulation prescribing safe conditions for the use of a substance as an article or component of articles that contact food shall not be construed as implying that such substance may be safely used as a direct additive in food.

(d) Substances that under conditions of good manufacturing practice may be safely used as components of articles that contact food include the following, subject to any prescribed limitations:

(1) Substances generally recognized as safe in or on food.

(2) Substances generally recognized as safe for their intended use in food packaging.

(3) Substances used in accordance with a prior sanction or approval.

(4) Substances permitted for use by regulations in this Subpart F.

Notice and public procedure and delayed effective date are not necessary prerequisites to the promulgation of this order, and I so find, since the amendment is interpretative in nature and serves to clarify existing regulations.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409, 72 Stat. 1785; 21 U.S.C. 348)

Dated: March 12, 1964.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 64-2662; Filed, Mar. 18, 1964;
8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3348]

[(Nevada 051744, 051097) (1825382)]

NEVADA

Withdrawing Lands for Pahranaagat National Wildlife Refuge; Parity Revoking Executive Order No. 7373 of May 20, 1936 (Desert Game Range)

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and otherwise, and pursuant to Executive Order No. 16355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws, and reserved for use of the Bureau of Sport Fisheries and Wildlife, United States Fish and Wildlife Service, as a part of the Pahranaagat National Wildlife Refuge:

MOUNT DIABLO MERIDIAN

T. 7 S., R. 61 E.,

Sec. 27, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 34, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$.

T. 8 S., R. 61 E.,

Sec. 3, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 11, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 13, W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 14, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;

S $\frac{1}{2}$ Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 25, lots 1, 2, 5, 6 and 7;
Sec. 36, lot 1.

T. 8 S., R. 62 E.,

Sec. 30, lot 5, SW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 31, lots 1 and 2, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 32, SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$.

T. 9 S., R. 62 E.,

Sec. 3, E $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 5, S $\frac{1}{2}$ N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$.

The areas described aggregate 1,311.41 acres.

2. Executive Order No. 7373 of May 20, 1936, which established the Desert Game Range, is hereby revoked so far as it affects any of the lands described in paragraph 1, above.

3. The withdrawal made by this order shall be subject to the condition that livestock permitted or licensed under regulations administered by the Bureau of Land Management, shall have access to watering places on the lands, the location of necessary access routes or water lanes to be determined by the Refuge Manager. The construction of fences or other improvements in connection with the access routes is to be done at the expense of the grazing licensees or permittees who benefit therefrom and in accordance with plans approved by the Refuge Manager.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

MARCH 13, 1964.

[F.R. Doc. 64-2644; Filed, Mar. 18, 1964;
8:45 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

SUBCHAPTER E—AIRSPACE (NEW)

[Airspace Docket Nos. 63-CE-75, 63-CE-82]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS (NEW)

Alteration of Control Zones, Revocation of Control Area Extension, Designation and Revocation of Transition Areas

Correction

In F.R. Doc. 64-2033, appearing at page 2930 of the issue for Wednesday, March 4, 1964, the following corrections are made:

1. In the entry for Wichita, Kans., (Wichita Municipal), under § 71.171, the latitude cited within the parenthesis should read "latitude 37°39'10" N.," instead of "latitude 37°30'10" N."

2. In the ninth line from the end of the entry for Wichita, Kans., under § 71.181, "VOR 384" should read "VOR 334".

Fed Reg 55, March 19, 1964